FILED

April 16 2010

Ed Smith

CLERK OF THE SUPREME COURT

STATE OF MONTANA

## No. DA 09-0470

STATE OF MONTANA,

Plaintiff and Appellee,

v.

JAMES LEON ALLEN,

Defendant and Appellant.

## **ORDER**

Upon consideration of Appellant's motion for extension of time, and good cause appearing therefore,

IT IS HEREBY ORDERED that Appellant is granted an extension of time to and including May 21, 2010, within which to prepare, file, and serve its opening brief on appeal.

DATED this day of April, 2010.